

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YEHOSHUA SEGAL,

Plaintiff,

-against-

08 Civ. 10014 (CM)

VARONIS SYSTEMS, INC., et al.,

Defendants.

FEE AWARD ORDER

McMahon, J.:

In connection with the court's order remanding this action to the New York State Supreme Court, plaintiff was granted an award of attorneys' fees, due to defendant's frivolous removal of the action. Unfortunately, plaintiff's counsel has taken advantage of the court's award to tack onto the fees actually awarded (sums expended in preparing the motion to remand) fees for other tasks – including disqualifying defendants' counsel and seeking to stay an arbitration – that are not encompassed within the court's original order.

Plaintiff's counsel originally represented to the court (prior to filing the reply papers in support of the motion) that the fees for the remand motion were approximately \$15,000. Rather than engage in a line-by-line analysis of plaintiff's February 27, 2009, application for a fee award, the court will take counsel at his word, and award \$15,000. The accuracy of such an award is confirmed by the fact that it approximates the fee award as calculated by defendant (\$13,819).

Plaintiff shall have judgment of defendants for \$15,000 in attorneys' fees. The Clerk of the Court can now remand the case to the New York State Supreme Court.

Dated: March 16, 2009



U.S.D.J.

BY ECF TO ALL COUNSEL

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